

P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Dworschak et al.)
)
Application No.:)
)
Filed: Herewith)
)
For: **MEDICAL INSTRUMENT**)

MAIL STOP PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail (No. EV 129898199 US) addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 29, 2004.

By: Carol Prentice

Carol Prentice

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with 37 C.F.R. §1.56, Applicants wish to call the attention of the Examiner to the following references:

U.S. PATENTS:

<u>Patent No.</u>	<u>Patentee</u>	<u>Date of Issue</u>
1,973,569	Kurtz	Sep 11, 1934
3,459,187	Pallotta	Aug 05, 1969
3,735,763	Shannon et al.	May 29, 1973
3,763,726	Hildebrand	Oct 09, 1973
4,218,821	Schneider	Aug 26, 1980

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The references listed above were cited by the International Examiner in the Search Report (copy enclosed) of Applicants' counterpart international patent application no. PCT/EP02/07614 (MPEP §2001.06(a)).

OTHER U.S. PATENTS:

<u>Patent No.</u>	<u>Patentee</u>	<u>Date of Issue</u>
2,305,156	Grubel	Dec 15, 1942
4,099,315	Pudenz	Jul 11, 1978

OTHER FOREIGN PATENT DOCUMENTS:

<u>Country</u>	<u>No.</u>	<u>Date of Publication</u>
Germany	20 61 539	Aug 10, 1972
Germany	27 04 579	Aug 10, 1978
Germany	28 26 421	Jan 04, 1979
Germany	93 18 816	Mar 10, 1994
Germany	43 39 992	Mar 02, 1995
Germany	694 00 320	Jul 24, 1996
Germany	201 00 589	Jun 07, 2001

The references listed above were cited by the German Examiner in Applicants' corresponding German patent application 101 38 393.2 (MPEP §2001.06(a)).

English language abstracts are attached to DE 201 00 589 and DE 43 39 992.

DE 20 61 539 has an English language counterpart, namely U.S. Patent No. 3,763,726.

FORM PTO-1449

ATTY. DOCKET NO.: HOE-799

SERIAL NO.:

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICANT(S): Dworschak et al.

FILING DATE: Herewith

GROUP:

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA	1,973,569	09/11/1934	Kurtz			
	AB	3,459,187	08/05/1969	Pallotta			
	AC	3,735,763	05/29/1973	Shannon et al.			
	AD	3,763,726	10/09/1973	Hildebrand			
	AE	4,218,821	08/26/1980	Schneider			
	AF	2,305,156	12/15/1942	Grubel			
	AG	4,099,315	07/11/1978	Pudenz			
	AH	5,649,958	07/22/1997	Grimm et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANS- LATION YES NO
	AI	20 61 539	08/10/1972	Germany			
	AJ	27 04 579	08/10/1978	Germany			
	AK	28 26 421	01/04/1979	Germany			
	AL	93 18 816	03/10/1994	Germany			
	AM	43 39 992	03/02/1995	Germany			
	AN	694 00 320	07/24/1996	Germany			
	AO	201 00 589	06/07/2001	Germany			
	AP	0 611 553	07/24/1996	EPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Dworschak et al.
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DE 93 18 816 has an English language counterpart, namely
U.S. Patent No. 5,649,958.

DE 28 26 421 has an English language counterpart, namely
U.S. Patent No. 4,218,821.

DE 694 00 320 has an English language counterpart, namely
EP 0 611 553.

DE 27 04 579 has an English language counterpart, namely
U.S. Patent No. 4,099,315.

OTHER U.S. PATENTS:

<u>Patent No.</u>	<u>Patentee</u>	<u>Date of Issue</u>
5,649,958	Grimm et al.	Jul 22, 1997

OTHER FOREIGN PATENT DOCUMENTS:

<u>Country</u>	<u>No.</u>	<u>Date of Publication</u>
EPO	0 611 553	Jul 24, 1996

Copies of the above-listed foreign references are enclosed,
together with a completed form PTO-1449.

Consideration of these references by the Examiner is
respectfully requested.

The submission of the listed documents is not intended as an
admission that any such document constitutes prior art against

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the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



Date: January 29, 2004
ATTORNEY DOCKET NO.: HOE-799

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